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14 *[Additional counsel listed on next page]*

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 RICARDO DEL RIO, a California
18 resident, on behalf of himself, the proposed
class and collective class; JOSE
19 VALDIVIA, a California resident, on
behalf of himself, the proposed class and
20 collective class; JOSE PEREIRA, a
California resident, on behalf of himself,
21 the proposed class and collective class,

22 Plaintiffs,

23 v.

24 UBER TECHNOLOGIES, INC., a
Delaware Corporation, RASIER-CA, LLC,
25 a Delaware Limited Liability Company,
and DOES 1 through 10, inclusive,

26 Defendants.
27

Case No. 3:15-cv-03667-EMC
[Related to 3:13-cv-03826-EMC]

ASSIGNED FOR ALL PURPOSES TO
HONORABLE EDWARD M. CHEN

**JOINT STIPULATION TO CONTINUE
CASE MANAGEMENT CONFERENCE**

Current Date: January 18, 2018
Proposed New Date: March 22, 2018

Complaint Filed: August 11, 2015
FAC Filed: September 21, 2015
SAC Filed: April 27, 2016
Trial Date: None set

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17 Attorneys for Plaintiffs
18 RICARDO DEL RIO, JOSE VALDIVIA and JOSE PEREIRA

1 **JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE**

2 Pursuant to Civil Local Rule 7-12, Plaintiffs Ricardo Del Rio, Jose Valdivia, and Jose Pereira
3 (collectively “Plaintiffs”) and Defendants Uber Technologies, Inc. and Rasier-CA, LLC (collectively
4 “Uber”) (Plaintiffs and Defendants are collectively referred to as the “Parties”), by and through their
5 respective counsel of record, hereby stipulate as follows:

6 WHEREAS, the Court has previously stayed this matter due to the pending appeals in the 9th
7 Circuit regarding the validity of Uber’s arbitration agreements (Ninth Circuit Case No. 15-17475),
8 and the outcome of *Price v. Uber Technologies, Inc.*, Los Angeles County Superior Court Case No.
9 BC554512;

10 WHEREAS, the 9th Circuit has stayed the appeals pending *Morris v. Ernst & Young, LLP*,
11 834 F.3d 975 (9th Cir. 2016), cert. granted (U.S. Jan. 13, 2017) (No. 16-300) (“Morris”),
12 consolidated with *Epic Sys. Corp. v. Lewis*, 823 F.3d 1147 (7th Cir. 2016), cert. granted (U.S. Jan.
13 13, 2017) (No. 16-285) and *Murphy Oil USA, Inc. v. NLRB*, 808 F.3d 1013 (5th Cir. 2015) cert.
14 granted (U.S. Jan.13, 2017) (No. 16-307) (collectively, “*Morris, et al.*”);

15 WHEREAS, on December 20, 2017 a revised joint motion to approve the PAGA-only
16 settlement was submitted to the *Price* court. The hearing on the joint motion is set for January 16,
17 2018;

18 WHEREAS, the Parties have met and conferred and agree that the pending 9th Circuit appeals
19 and the PAGA settlement in *Price* will have an impact on the scope of this case;

20 WHEREAS, the Parties believe it would be most efficient to continue the January 18, 2018
21 Case Management Conference to March 22, 2018 pending the settlement in *Price* and pending the
22 appeal of the order denying Uber’s Motion to Compel Arbitration in this matter.

23 NOW THEREFORE, the Parties hereby stipulate, subject to the approval of this Court, that:

24 1. The Case Management Conference set for January 18, 2018, at 10:30 a.m., shall be
25 continued to March 22, 2018.

26 2. Case Management Conference Statements shall be due on March 15, 2018.

27 3. The above-captioned case shall remain STAYED until the next Case Management
28 Conference.

IT IS SO STIPULATED

Dated: January 11, 2018

/s/ Shant A. Karnikian

SHANT A. KARNIKIAN

KABATECK BROWN KELLNER LLP

Attorneys for Plaintiffs

RICARDO DEL RIO, JOSE VALDIVIA and JOSE PEREIRA

Dated: January 11, 2018

/s/ Sophia Behnia

SOPHIA BEHNIA

LITTLER MENDELSON, P.C.

Attorneys for Defendants

UBER TECHNOLOGIES, INC. AND RASIER-CA, LLC

ATTESTATION OF FILER

I, Sophia Behnia, attest that concurrence in the filing of this document has been obtained from Shant Karnikian, which shall serve in lieu of his signature on this document.

Dated this 11th day of January, 2018.

/s/ Sophia Behnia

SOPHIA BEHNIA



[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

1. The Case Management Conference set for January 18, 2018, at 10:30 a.m., shall be continued to March 22, 2018.

2. Case Management Conference Statements shall be due on March 15, 2018.

3. The above-captioned case shall remain STAYED until the next Case Management Conference.

IT IS SO ORDERED.

Dated: _____, 2018

The Honorable Edward M. Chen
United States District Judge

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